

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF TENNESSEE
AT CHATTANOOGA**

UNITED STATES OF AMERICA)	Case No. 1:23-cr-67
)	
v.)	Judge Atchley
)	
MONTREL PRICE)	Magistrate Judge Steger

ORDER

U.S. Magistrate Judge Christopher H. Steger filed a report and recommendation [Doc. 28] recommending that the Court: (1) grant Defendant's motion to withdraw his not guilty plea to a lesser included offense of Count One of the one count Indictment; (2) accept Defendant's guilty plea to a lesser included offense of Count One of the one count Indictment; (3) adjudicate Defendant guilty of a lesser included offense of Count One: Possession with intent to distribute 40 grams or more of fentanyl in violation of 21 U.S.C. §§ 841(a)(1) and 841(b)(1)(B); and (4) order that Defendant remain in custody pending sentencing or further order of this Court.

After reviewing the record, the Court agrees with Magistrate Judge Steger's report and recommendation. Accordingly, the Court **ACCEPTS** and **ADOPTS** the magistrate judge's report and recommendation [Doc. 28] pursuant to 28 U.S.C. § 636(b)(1) and **ORDERS** as follows:

1. Defendant's motion to withdraw his not guilty plea to a lesser included offense of Count One of the one count Indictment is **GRANTED**;
2. Defendant's plea of guilty to a lesser included offense of Count One of the one count Indictment is **ACCEPTED**;
3. Defendant is hereby **ADJUDGED** guilty of a lesser included offense of Count One: Possession with intent to distribute 40 grams or more of fentanyl in violation of 21 U.S.C. §§ 841(a)(1) and 841(b)(1)(B); and

4. Defendant **SHALL REMAIN** in custody until further order of this Court or sentencing in this matter which is scheduled to take place on **August 22, 2024, at 10:00 a.m.**

SO ORDERED.

/s/Charles E. Atchley, Jr.
CHARLES E. ATCHLEY, JR.
UNITED STATES DISTRICT JUDGE